

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>: CRIMINAL NO. 04-_____</b>
<b>v.</b>	<b>: DATE FILED: May       , 2004</b>
<b>LUIS RIVERA,</b>	<b>: VIOLATIONS:</b>
<b>a/k/a “Topo,”</b>	<b>21 U.S.C. § 846 (conspiracy to distribute more</b>
<b>GAEL VILLARREAL-VIZQUEL,</b>	<b>: than 5 kilograms of cocaine - 1 count)</b>
<b>a/k/a “Rigo,”</b>	<b>21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A) (possession</b>
<b>JULIO GOMEZ-ROSAS</b>	<b>: with intent to distribute more than 5 kilograms</b>
	<b>of cocaine - 1 count)</b>
	<b>: 18 U.S.C. § 2 (aiding and abetting)</b>
	<b>Notice of forfeiture</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1.       From on or about December 4, 2003 to on or about December 9, 2003, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**LUIS RIVERA,**  
    **a/k/a “Topo,”**  
**GAEL VILLARREAL-VIZQUEL,**  
    **a/k/a “Rigo,” and**  
**JULIO GOMEZ-ROSAS**

conspired and agreed together, and with Braulio Torres, a/k/a “Braulio Abreu,” charged elsewhere, and other persons known and unknown to the grand jury, to knowingly and intentionally distribute more than 5 kilograms, that is, approximately 17.89 kilograms, of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

### **MANNER AND MEANS**

2. It was part of the conspiracy that defendants LUIS RIVERA, GAEL VILLARREAL-VIZQUEL, and JULIO GOMEZ-ROSAS controlled and managed a cocaine distribution organization that arranged for the distribution and sale of more than 5 kilograms of cocaine in Philadelphia and elsewhere.

### **OVERT ACTS**

In furtherance of the conspiracy, the defendants and others, known and unknown to the grand jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. In or about December 2003, co-conspirator Braulio Torres asked defendant LUIS RIVERA to bring a large quantity of cocaine to Philadelphia from the Atlanta, Georgia area.

2. In or about December 2003, defendant GAEL VILLARREAL-VIZQUEL arranged for defendant JULIO GOMEZ-ROSAS and C.M., GOMEZ-ROSAS' girlfriend, to drive a white Dodge Caravan with approximately 17.89 kilograms of cocaine stored in a hidden compartment, from Atlanta, Georgia to Philadelphia, Pennsylvania.

3. On or about December 4, 2003, defendants LUIS RIVERA and GAEL VILLARREAL-VIZQUEL drove from Atlanta, Georgia in a red Taurus to oversee the transportation and distribution of the cocaine. Prior to leaving the Atlanta area, defendant RIVERA gave defendant JULIO GOMEZ-ROSAS directions to Philadelphia. While driving to Philadelphia with defendant RIVERA, defendant VILLARREAL-VIZQUEL gave defendant GOMEZ-ROSAS directions to Philadelphia, Pennsylvania using a walkie talkie.

4. On or about December 4, 2003, at 1152 Brill Street in Philadelphia, PA, defendant JULIO GOMEZ-ROSAS showed defendant GAEL VILLARREAL-VIZQUEL how to operate the hidden compartment in the white Dodge Caravan.

5. On or about December 9, 2003, defendants LUIS RIVERA, GAEL VILLARREAL-VIZQUEL and JULIO GOMEZ-ROSAS possessed for later sale approximately 17.89 kilograms of cocaine which they stored in a white Dodge Caravan, parked in the vicinity of 1152 Brill Street in Philadelphia.

6. On or about December 9, 2003, defendants LUIS RIVERA, GAEL VILLARREAL-VIZQUEL and JULIO GOMEZ-ROSAS possessed inside 1152 Brill Street and a white Dodge Caravan a scale, a large zip lock freezer bag containing numerous rubber bands, tape and approximately \$37,169.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about December 9, 2003, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**LUIS RIVERA,  
a/k/a “Topo,”  
GAEL VILLARREAL-VIZQUEL,  
a/k/a “Rigo,” and  
JULIO GOMEZ-ROSAS**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, more than 5 kilograms, that is, approximately 17.89 kilograms, of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

## **NOTICE OF FORFEITURE**

As a result of violations of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and 846 set forth in the indictment, the defendants

**LUIS RIVERA,  
a/k/a “Topo,”  
GAEL VILLARREAL-VIZQUEL,  
a/k/a “Rigo,” and  
JULIO GOMEZ-ROSAS**

shall forfeit to the United States under Title 21, United States Code, Section 853:

1. Any and all property constituting, or deriving from, any proceeds the defendants obtained directly or indirectly, as the result of the violations of Title 21, United States Code as charged in this indictment, including but not limited to:

(a) Currency in the amount of \$37,169 taken from 1152 Brill Street, Philadelphia, Pennsylvania.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**PATRICK L. MEEHAN  
UNITED STATES ATTORNEY**